

09/991,164  
Attorney Docket No.: 42P12570

**Remarks:**

Reconsideration of the above referenced application in view of the enclosed amendment and remarks is requested. Existing Claims 1 to 42 remain in the application.

Applicant thanks Examiner and Supervisor for meeting on November 23, 2005 and conducting a face to face interview. During the interview several items were discussed. Specific items discussed were:

- Status of the application prior to Restriction
- General inventive concept of embodiments of the present invention and novelty over prior art
- Burden of new search and/or restriction and election

Prior to the interview this application was previously assigned to another Examiner. Four (4) non-final office actions were issued by the prior Examiner and responded to by Applicant. Prior to the Office Action of Nov. 1, 2005 requiring restriction and election, most of the pending Claims (1 to 42) in the present application were allowed. Specifically, Claims 2-6, 11-26 and 31-42 were allowed, and Claims 9-10 were indicated as being directed toward allowable subject matter.

The differences between the claimed invention and cache memory and other apparatuses in the prior art were discussed. For instance, it was noted that Applicant's invention is especially useful for optimizing activation/deactivation of file system devices of a system to minimize power requirements of the system.

A discussion of the meaning of "superset" was also discussed in the context of Claims 11 and 31, and their progeny. Specifically, it was noted that in this context, and as would be understood by one of ordinary skill in the art, that "reading a superset of the requested file portion into memory" means that more of the file (or data) is read into memory than would normally be requested by a file system. For instance, if a user needs data on a specific page of the file, prior art systems would read in that page only. Applicant's claimed invention requires that a superset of the file portion be read into memory when a limited power condition exists. This enables the process to have access to pages of the file that might be subsequently requested,

09/991,164

Attorney Docket No.: 42P12570

while allowing the device to remain in a limited power condition during the subsequent requests. In other words, more information is retrieved during the first request to enable the device to remain asleep or in low power mode longer – subsequent requests to wake the device are not necessary because extra information (superset) was retrieved rather than “just enough” information. Systems of the prior art, especially cache memory, do not operate in this fashion.

Examiner Chen has agreed that the burden on Applicant to reply to and comply with a restriction requirement at this time is excessive. Thus, the restriction requirement mailed on Nov. 1, 2005 is to be withdrawn by the USPTO.

During the interview, no new prior art was cited against the previously allowed or rejected claims. Thus, it is believed that Claims 2-6, 9-26 and 31-42 are allowable, as previously amended.

Respectfully submitted,

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*s/ Joni D. Stutman-Horn /*

Joni D. Stutman-Horn

Patent Attorney

Intel Corporation

Registration No. 42,173

(703) 633-6845

c/o Blakely, Sokoloff, Taylor & Zafman, LLP  
12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1030